

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re <b><u>Divisional</u></b> Application of: <b>Dale <i>et al.</i></b>	)	
	)	
Application No. <b>Not Assigned</b>	)	Art Unit: <b>Not Assigned</b>
	)	
Filed: <b>August 21, 2003</b>	)	Examiner: <b>Not Assigned</b>
	)	
For: <b>Devices for Improved Wound Management</b>	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)**

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

The present application is a divisional application of Application 09/281,858 (filed March 31, 1999) which is a continuation-in-part application of U.S. Application 09/222,009 (filed December 30, 1998) now U.S. Patent 6,211,349 (issued April 3, 2001). A copy of the PTO-1449 forms filed in these applications are attached. Also attached is a form PTO-1449 listing the references cited by the Examiners during prosecution of these applications. The Examiner's attention is respectfully directed to the art of record in these prior applications and thus, no references are being submitted.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

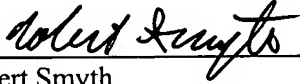
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or

credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **August 21, 2003**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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Robert Smyth  
Registration No. 50,801

<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)  <b>PTO Form 1449</b>				Attorney Docket <b>054800-5001-03</b>		Application No. <b>Not Assigned</b>	
				Applicants: <b>Roderic Dale <i>et al.</i></b>		Page <b>1</b> of <b>4</b>	
				Filing Date: <b>August 21, 2003</b>		Group Art Unit: <b>Not Assigned</b>	

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	aa	5,747,256	05/05/1998	Yan <i>et al.</i>	435	6	12/19/1995

FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	ab	Eck <i>et al.</i> (1996) Goodman & Gilman's The Pharmacological Basis of Therapeutics, 9th Edition, McGraw-Hill, New York, pp. 77-101
	ac	Heidenreich <i>et al.</i> (1995) <i>Mol. Med. Today</i> 1:128-133
	ad	Mastrangelo <i>et al.</i> (1996) <i>Semin. Oncol.</i> 23:4-21
	ae	Verma <i>et al.</i> (1997) <i>Nature</i> 389:239-242
	af	Zimmer <i>et al.</i> (1968) <i>Biopolymers</i> 6:563-574

Examiner	Date Considered
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**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>	Attorney Docket	054800-5001-03
	First Named Inventor	Roderic M.K. Dale et al.
	Application Number	Not Assigned
	Filing Date	August 21, 2003
	Group Art Unit	Not Assigned

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA-1	5,294,533	03/15/94	Lupski et al.			

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AB-1	WO 96/29399	09/26/96	PCT				

### OTHER DOCUMENTS (including Author, Title, Date, Place of Publication)

	AC-1	Archer et al., 1994, <i>Antimicrob. Agents Chemother.</i> 38:2231-2237
	AD-1	Bennett, 1993, <i>Antisense Res. Devel.</i> 3:235-241
	AE-1	Cohen, 1989, <i>Oligodeoxynucleotides; Antisense Inhibitors of Gene Expression</i> , Boca Raton, FL, CRC Press
	AF-1	Crooke, 1997, in <i>Antisense Nucleic Acid and Antisense RNA: Novel Pharmacological and Therapeutic Agents</i> , B. Weiss ed., CRC Press Boca Raton, FL., p. 17
	AG-1	Goth, 1974, <i>Medical Pharmacology: Principles and Concepts</i> , The C.V. Mosby Company, Saint Louis, MO
	AH-1	Hoke et al., 1991, <i>Nucl. Acids Res.</i> 19:5743
	AI-1	Hughes et al., 1995, <i>Pharmaceutical Research</i> 12:817
	AJ-1	Krieg et al., 1995, <i>Nature</i> 374:546-549
	AK-1	Kristinsson, 1995, <i>Microb. Drug Resistance</i> 1(2):121
	AL-1	Woodford et al., 1995, <i>J. Antimicrob. Chemother.</i> 35:179-184
	AM-1	Yamamoto et al., 1994, <i>Antisense Res. Devel.</i> 4:119-122
	AN-1	Zabransky et al., 1995, <i>J. Clin. Microbiol.</i> 33(4):791-793

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EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Attorney Docket

054800-5001-03

First Named Inventor

Roderic M.K. Dale et al.

Application Number

Not Assigned

Filing Date

August 21, 2003

Group Art Unit

Not Assigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS (including Author, Title, Date, Place of Publication)**

	AA-1	Cameron, <i>British Journal of Theatre Nursing</i> (August 1997) 7(5):5-7
	AB-1	Freeland, <i>Hosp Med</i> (June 1998) 59(6):484-7
	AC-1	Jones et al., <i>Nurs Stand</i> (June 17-23, 1998) 12(39):47-52
	AD-1	Spotnitz et al., <i>Surg Clin North Am</i> (June 1997) 77(3):651-69
	AE-1	Staley et al., <i>Adv Wound Care</i> (Mar-Apr 1997) 10(2):39-44

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (MODIFIED)  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)	ATTY. DOCKET NO. 054800-5001-03	SERIAL NO. Not Assigned
	APPLICANT Roderic M.K. DALE et al.	
	FILING DATE August 21, 2003	GROUP ART UNIT Not Assigned

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

### FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A1	WO 98/23294	June 4, 1998	WIPO				
	A2	WO 90/14074	November 29, 1990	WIPO				
	A3	WO 98/03533	January 29, 1998	WIPO				
	A4	WO 94/15619	July 21, 1994	WIPO				

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

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